IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. :	10/645,099
Applicant :	Jeff S. Eder
Filed :	August 21, 2003
Art Unit :	3692
Examiner :	Clement Graham
Docket No. :	AR - 55
Customer No. :	53787

DECLARATION UNDER RULE 132

I, Gregory Cusanza, do hereby declare and say: my home address is 8604 233rd Place NE, Redmond, WA 98053 and I have a B.S. degree in computer science from Cal Poly San Luis Obispo.

I have worked in the data processing field for 15 years, concentrating in the disciplines of data storage, data conversion and enteprise processing. I also have extensive knowledge of computer system administration, particularly for Windows-based, Linux, and Unix systems; I have been employed by a corporation that was recently purchased by EMC for 12 years, Knacta for 1. 5 years and Kantrak, Inc. for the last month. I own 5% of the issued common stock in Kantrak, Inc.

I further declare that I do not have any direct affiliation with the application owner, Asset Reliance, Inc. I met the inventor for the first time in April 2004. I joined

Kantrak, Inc., a company run by the inventor in February of 2008. Kantrak, Inc. has a license to the intellectual property associated with this application.

On March 24, 2008 I was given a copy of U.S. Patent 5,991,758 for a System and method for indexing information about entities from different information sources by Scott Ellard and a copy of the 10/645,099 patent application. The Ellard patent was issued by the United States Patent Office on November 23, 1999. Until that time I had not read the patent or the patent application. I had previously read a copy of patent application 10/441,385 which is similar to the 10/645,099 specification. I have studied the entire specification of the Ellard invention and application 10/645,099 in order to closely analyze the claims and drawings. I am totally familiar with the language of the claims and conversant with the scope thereof. I completely understand the inventions as claimed.

Because the entities defined by Ellard correspond to items in the specification for application 10/645,099 I will use the term "item" to discuss the Ellard invention. For example, part numbers are items within the inventory financial asset and individual customers are items within the customer element of value (see page 19 of specification for 10/645,099).

Based on my experience and training in the field of data storage, data conversion and electronic data processing, I have concluded that the Ellard invention is not relevant to the claimed invention for a variety of reasons.

Ellard teaches that in order to define an item index it is necessary to complete several steps including eliminating duplicate item records, correcting mis-spellings and finding a way to distinguish between items with the same names. The user is given the option identifying the different records that identify the same item and/or the Ellard system can identify records that identify the same item using scoring. Furthermore, the Ellard invention uses a single index to link together all data from the same item.

The teachings of Ellard are not relevant to the invention described in application 10/645,099 because the primary analysis performed by the disclosed invention of application 10/645,099 (and all other Asset Reliance patent applications I am aware of)

is completed at the element level. As noted on page 44 and page 45 of the specification:

> The software in block 303 retrieves data from the meta data mapping table (141) and the soft asset system table (148) and then assigns item variables, item performance indicators and composite variables to each element of value using a two step process.

For example, the element level analysis for customers incorporates all customer item data. Because of this, the fact that some records may have mis-spelled names and/or that the same customer is identified with different customer numbers is of no consequence. The same is true for the other elements of value.

Using the Ellard system for data consolidation would also destroy the ability of the claimed invention to function. The invention described in application 10/645,099 (and all other Asset Reliance patent applications I am aware of) relies on understanding the classification of the data associated with each item within a schema to complete the claimed processing. For example, a specific company could be a partner, a customer and a vendor. The data for the specific company would therefore be mapped to the partner element of value, the customer element of value and the vendor element of value. Data obtained from outside sources like the Internet and external databases is also classified before it is put in the database (see pages 37 through 39). I am not aware of any way to modify the Ellard invention to recognize the different classifications for the same item without destroying the ability of the Ellard invention to function.

The Ellard invention also teaches away from the claimed invention as it utilizes user established criteria and scoring to identify items that are similar, link them together and then treats them like they are the same item. On the other hand, the claimed invention identifies subcategories of items that are similar within each classification by using clustering algorithms. The clustering algorithms learn the best way to segment the items from the data associated with each classification and then identifies the items as belonging to a segment. This analysis supports analysis at the sub-element level. As stated before, the Ellard invention does not allow for different classifications for the same item. It also does not recognize subcategories within each classification.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that

these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

Signed,

Greg Cusanza

Date: 4-4-2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. :	10/746,673
Applicant :	Jeff S. Eder
Filed :	January 18, 2001
Art Unit ::	3629
Examiner :	Freda Nelson
Docket No. :	AR - 62
Customer No. :	53787

DECLARATION UNDER RULE 132

I, Rick Rauenzahn, do hereby declare and say:

My home address is 529 Calle don Leandro, Espanola, New Mexico; I have a B.S. degree in chemical engineering from Lehigh University, an S.M. degree in chemical engineering from The Massachusetts Institute of Technology and a Ph.D. in chemical engineering from The Massachusetts Institute of Technology;

I have worked in the mathematical modeling field for 25 years, concentrating in the disciplines of fluid mechanics, turbulence modeling, numerical methods for partial differential equations, radiation hydrodynamics, and strength of materials. I also have extensive knowledge of computer system administration, particularly for Windows-based, Linux, and Unix systems; I have been employed by Los Alamos National Laboratory and Molten Metal Technologies for the past 23 years.

I further declare that I do not have any direct affiliation with the application owner, Asset Reliance, Inc. I met the inventor for the first time in April 2006. I joined the Technical Advisory Board for Knacta, Inc., a company run by the inventor in May of 2006. I have never discussed this patent application or any of the other patent applications owned by Asset Reliance with the inventor. Knacta, Inc. has a license to the intellectual property associated with this application.

On July 29, 2006, I was given a copy of U.S. Patent Application 10/746,673 entitled "an interactive sales performance management system" filed in the United States Patent Office on December 24, 2003 as well as the cross referenced application 09/940,450, filed August 29, 2001. Until that time I had not read either of these two patent applications. I have studied the entire specification in order to closely analyze the claims and drawings. I am totally familiar with the language of the claims and conversant with the scope thereof. I completely understand the invention as claimed.

Based on my experience and training in the field of mathematical modeling and electronic data processing, I have concluded that it would be straightforward for anyone of average skill in the relevant arts to duplicate the interactive sales performance management system using the information in U.S. Patent Application 10/746,673 together with the patent application it cross-references.

Specifically, U.S. Patent Application 10/746,673 together with the patent application and patent it cross-references fully describes:

1) A performance model that quantifies and impact of a plurality of elements and subelements of value on a value of a business by category of value where the categories of value are selected from the group consisting of current operation, real option, market sentiment and combinations thereof;

Based on these and other considerations, it is my professional opinion that U.S. Patent Application 10/746,673 together with the patent application and patent it cross-references could be used to recreate and practice a method of and system for interactive sales performance management as claimed.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

Signed.

/Rick M. Rauenzahn/

Rick Rauenzahn
Date: September 27, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/821,504

Applicant: Jeff S. Eder

Filed: December 23, 2002

Examiner: Sigfried Chencinski

Art Unit: 3692

Docket No.: AR - 65

Customer No: 53787

DECLARATION UNDER RULE 132

I, Rick Rauenzahn, do hereby declare and say:

My home address is 529 Calle don Leandro, Espanola, New Mexico. I have a B.S. degree in chemical engineering from Lehigh University, an S.M. degree in chemical engineering from The Massachusetts Institute of Technology and a Ph.D. in chemical engineering from The Massachusetts Institute of Technology. I have worked in the mathematical modeling field for 25 years concentrating in the disciplines of fluid mechanics, turbulence modeling, numerical methods for partial differential equations, radiation hydrodynamics, and strength of materials. I also have extensive knowledge of computer system administration, particularly for Windows-based, Linux, and UNIX systems. I have been employed by Los Alamos National Laboratory and Molten Metal Technologies for the past 24 years.

I further declare that I do not have any direct affiliation with the application owner, Asset Reliance, Inc. I met the inventor for the first time in April 2006. I joined the Technical Advisory Board for Knacta, Inc., a company run by the inventor in May of 2006 but I have not completed any assignments for Knacta. Knacta, Inc. has a license to the intellectual property associated with this application.

On April 22, 2006, I was given a copy of U.S. Patent Application 09/688,983 entitled "An automated risk transfer system" filed in the United States Patent Office on October 17, 2000. Until that time I had not read the patent application. U.S. Patent Application 10/821,504 entitled

"A Business Activity Management System" is a continuation of application 09/688,983 and as such has the same specification and drawings. I have studied the entire specification in order to closely analyze the claims and drawings. I am totally familiar with the language of the claims and conversant with the scope thereof. I completely understand the invention as claimed. Based on my experience and training in the field of mathematical modeling and electronic data processing, I have concluded that it would be straightforward for someone of average skill in the art to duplicate the business activity management system using the information in U.S. Patent Application 10/821,504 and/or the information in U.S. Patent Application 09/688,983 together with the patent applications and patents they cross-reference.

Specifically, U.S. Patent Application 10/821,504 and/or U.S. Patent Application 09/688,983 together with the patent applications and patents they cross-reference fully describes:

1) how to measure a plurality of risks;
2) how to identify one or more risk management activities based upon said risks;
3) how to calculate an amount of capital available for said risk management activities;
4) how optimization analyses are completed;
5) how market value is computed;
6) how to quantify risk under scenarios including normal and extreme;
7) how the system learns,
8) how enterprise value and risk is quantified,
9) how data from a plurality of systems are prepared for use in processing, and
10) how changes in operation are identified and communicated to other systems.

Based on these and other considerations, it is my professional opinion that U.S. Patent Application 10/821,504 and/or U.S. Patent Application 09/688,983 together with the patent applications and patents they cross-reference fully describes would enable one of average skill in the relevant arts to recreate and practice the claimed invention.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that

such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

Signed,

/Rick M. Rauenzahn/

Rick M. Rauenzahn
Date: November 19, 2007